



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl No.: 09/924,973
Applicant: Rast, Rodger H. .
Filed: August 7, 2001
Title: **A system and method of driving an array of optical elements**
TC/A.U.: 2673
Examiner: Mingistu, A.
Docket No.: USLED_01
Cust. No.: 26994



26994

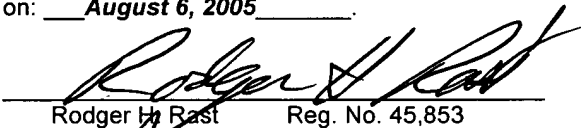
PATENT TRADEMARK OFFICE

Commissioner for Patents
Mail Stop: Issue Fee
P.O. Box 1450, Alexandria VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that the correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450

on: August 6, 2005


Rodger H. Rast

Reg. No. 45,853

Aug 6, 2005
Date of Signature

RESPONSE

Dear Examiner:

In response to the "Notice of Drawing Inconsistency with Specification" dated February 7, 2005, which is directed to the drawings sent on 8/22/03. (*a copy of which is attached*).

It is stated that "*Figures 1f & 1g are contained in the drawings but not listed in the brief description of the Drawings in the specification*", and goes on to indicate that correction is required to avoid abandonment.

Appl. No.: 09/924,973
Amdt. Dated: August 6, 2005
Off. Act. Dated: February 7, 2005

Applicant is confused by this in a number of regards:

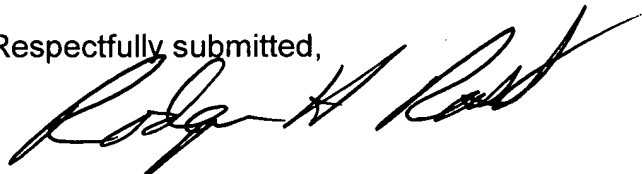
- (1) Applicant drawings do not include any "Figure 1f or Figure 1g", the figures in the application comprise FIG. 1 through FIG. 9, none of which have any subparts.
- (2) Applicant submitted a set of formal drawings on July 21, 2003 which were received at the office on July 24, 2003 - there is nothing in my files related to a matter filed 8/22/03.
- (3) Applicant does not understand why this matter is directed at Mail Stop **Issue fee**, when application number 09/924,973 is presently being examined on the merits. Applicant will be completing a response today to that office action.

Applicant has attached another set of the drawings as submitted on July 21, 2003 which should be the same as that currently entered in the case. The Brief Description of the Drawings" within the case references FIG. 1 - 9 just as does the 7 sheets of drawings.

Therefore, Applicant respectfully requests that the matter be looked into to ascertain the source of the error, and the Applicant thereafter be contacted to understand if a problem exists or merely a mistake has been made.

Date: Aug 6, 2005

Respectfully submitted,



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/924,973	08/07/2001	Rodger H. Rast	USLED_01	3148

26994 7590 07/27/2005

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EXAMINER

MENGISTU, AMARE

ART UNIT

PAPER NUMBER

2673

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE



NOTICE OF DRAWING INCONSISTENCY WITH SPECIFICATION

The drawings filed 8/22/03 have been received. However, an inconsistency exists between the drawings and the Brief Description of the Drawings in the specification.

Figures _____ are listed in the Brief Description of the Drawings in the specification but not contained in the Drawings.

Figures 1f & 1g are contained in the Drawings but not listed in the Brief Description of the Drawings in the specification.

Applicant is required to correct the above-noted inconsistency within a time period of **ONE MONTH or THIRTY (30) DAYS, whichever is longer**, from the mailing date of this Notice, or within the time remaining in the time period set forth in the Notice of Allowability (Form PTOL-37) to file corrected drawings, whichever is longer. **NO EXTENSION OF THIS TIME PERIOD MAY BE GRANTED UNDER EITHER 37 CFR 1.136 (a) OR (b)**

Failure to correct the above noted inconsistency will result in **abandonment** of the application.

The file will be held in the Publishing Division to await the correction of the inconsistency.

Return Corrected Drawings/Specification to:

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FORM PTO-1631 (REV. 10-03)